

**REMARKS/ARGUMENTS****The Office Action**

In the above-mentioned Office Action, claims 322 and 385 were objected to due to various informalities; claims 322-429 were rejected as being indefinite; claims 322, 328-335, 342-345, 347-350, 352, 353, 385, 391-398, 405, 406, 408, 411, 413-415, 421-424, 428, and 429 were rejected as being unpatentable over U.S. Patent 5,637,458 (Frankel et al.) in view of U.S. Patent 6,375,901 (Robotti et al.); claims 323-327, 338-341, 351, 386-390, 401-404, 412, 416-420, and 425-427 were rejected as being unpatentable over Frankel, et al. in view of Robotti, et al. as applied to claims 322, 354, 385, and 415, and further in view of Heegaard et al. (*Journal of Chromatography B*, Sept. 11, 1998, Vol. 715, pp 29-54); claims 336 and 399 were rejected as being unpatentable over Frankel, et al. in view of Robotti, et al. as applied to claims 322 and 385, and further in view of U.S. Application Publication No. 2003/0134416 (Yamanishi et al.); claims 337 and 400 were rejected as being unpatentable over Frankel, et al. in view of Robotti, et al. as applied to claims 322 and 385, and further in view of U.S. Application Publication No. 2002/0115201 (Barenburg et al.); claims 346 and 407 were rejected as being unpatentable over Frankel et al. in view of Robotti et al. as applied to claims 322 and 385, and further in view of Heegaard et al. and U.S. Patent 5,246,577 (Fuchs et al.); claims 354, 361-367, 374-376, 378-381, 383, and 384 were rejected as being unpatentable over Frankel et al. in view of Robotti et al. and U.S. Patent 5,582,705 (Yeung et al.); claims 355-360, 370-373, and 382 were rejected as being unpatentable over Frankel et al. in view of Robotti et al. and Yeung et al. as applied to claim 354, and further in view of Heegaard et al.; claim 368 was rejected as being unpatentable over Frankel et al. in view of Robotti et al. and Yeung et al. as applied to claim 354, and further in view of Yamanishi et al.; claim 366 was rejected as being unpatentable over Frankel et al. in view of Robotti et al. and Yeung et al. as applied to claim 354, and further in view of Barenburg et al.; and claim 377 was rejected as being unpatentable over Frankel et al. in view of Robotti et al. and Yeung et al. as applied to claim 354, and further in view of Heegaard et al., and further in view of Fuchs et al. The

following claims were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent 6,406,604 on the following grounds: claims 322-326, 328, 330, 334, 335, 342, 347, 349-350, 352, 353, 385-389, 391, 392, 394, 397, 398, 406, 408-411, 413-419, 422, 428, and 429 in view of Robotti et al.; claims 327, 338-341, 351, 390, 401-404, 412, 416-420, and 425-427 in view of Robotti et al. as applied to claims 323, 385, and 415, and further in view of Heegaard et al.; claims 329, 331, 332, 343-345, 393, 395, 405, 423, and 424 in view of Robotti et al. as applied to claims 323, 385, and 415 above, and further in view of Frankel et al.; claims 336 and 399 in view of Robotti et al. as applied to claims 323 and 385, and further in view of Yamanishi et al.; claims 337 and 400 in view of Robotti et al. as applied to claims 323 and 385 above, and further in view of Barenburg et al.; claims 346 and 407 in view of Robotti et al. as applied to claims 323 and 385, and further in view of Heegaard et al. and Fuchs et al.; claims 354, 356-359, 361, 363, 366, 367, 378-381, 383, and 384 in view of Robotti et al. and Yeung et al.; claims 355, 360, 370-373, and 382 in view of Robotti et al. and Yeung et al. as applied to claim 354 above, and further in view of Heegaard et al.; claim 368 in view of Robotti et al. and Yeung et al. as applied to claim 354 above, and further in view of Yamanishi et al.; claim 369 in view of Robotti et al. and Yeung et al. as applied to claim 354, and further in view of Barenburg et al.; and claim 377 in view of Robotti et al. and Yeung et al. as applied to claim 354 above, and further in view of Heegaard et al. and Fuchs et al. The following claims were provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 36-77 of copending Application No. 10/821,328 on the following grounds: claims 322-328, 331, 334, 335, 339-350, 352-361, 364, 366, 367, 371-381, 383-392, 395, 397, 398, 402-411, 413-420, 423, and 425-429 in view of Robotti et al.; claims 329, 330, 332, 333, 362, 363, 365, 393, 394, 396, 421, 422, and 424 in view of Robotti et al. as applied to claims 322, 354, 385, and 415, and further in view of Frankel et al.; claims 336, 368, and 399 in view of Robotti et al. as applied to claims 322, 354, and 385, and further in view of Yamanishi et al.; claims 337, 369, and 400 in view of Robotti et al. as applied to claims 322, 354, and 385, and further in view of Barenburg et al.; and claims 338, 351, 370, 382, 401, and 412 in view of

Robotti et al. as applied to claims 322, 354, and 385, and further in view of Heegaard et al.

#### **The February 5, 2007 Amendment**

In the Amendment dated February 5, 2007, claims 322-429 were cancelled without prejudice or disclaimer, new claims 430-608 were added, paragraphs [0092], [0123], [0124], [0141] and [0142] of the specification were amended, and drawing FIGS. 2, 4, 6, 14, 23B and 24B were amended.

#### **The May 21, 2007 Supplemental Amendment**

In the Supplemental Amendment filed on May 21, 2007, paragraphs [0091], [0123], [0124] and [0141] of the specification were amended; a correction was made to a replacement drawing submitted with the prior Amendment; claims 430, 433, 434, 436-439, 443, 445-449, 451, 452, 454, 455, 462, 464-469, 471, 477, 479, 481, 483, 484, 488, 490-492, 497, 500, 501, 504, 506, 510, 512, 514, 515, 517-519, 525-528, 531, 533, 542, 543, 548, 549, 550, 554, 557, 561, 567, 569, 571-573, 575, 576, 587-589, 599, 600 and 604-606 were amended; and new claim 609 was added.

#### **The Telephone Interview and the Present Supplemental Amendment**

The below-signed counsel for Applicant thanks Examiner Jung for the courtesies extended to him during their telephone interview of May 25 and Examiner Jung's follow-up voice mail message of June 8, 2007. During that telephone interview (and responsive thereto):

(1) Examiner Jung said that "at least one salt" in claim 453 was not supported by "sodium tetraborate." Claim 453 has been accordingly amended, as have claims 520 and 578.

(2) She said that the drawings did not support claim 471. Claim 471 has been cancelled, as has claim 533.

(3) She said that claim 480 was not supported by FIG. 1. Claim 480 has been amended, as have claims 542 and 599. New dependent claims 610-613 have been added and find support in paragraph [0098], for example.

(4) She said that the use of the word "passage" is new matter and is not supported by the original disclosure of channels and capillaries in the specification and/or the disclosure thereof in the drawings. She did say, however, that the claims would be allowable if "passage" were replaced with "channel or capillary," and claims 430, 433, 436-443, 451, 455, 456, 461-470, 472, 473, 477, 479-485, 488-494, 500, 503-510, 517, 521, 525-535, 539, 541, 543-547, 550-552, 557, 558, 560-567, 575, 579, 583-592, 596, 598, 600-603, 606 and 609 have been so amended; "auxiliary passage" has been changed to "auxiliary capillary"; and new dependent claims 614 and 615 have been added.

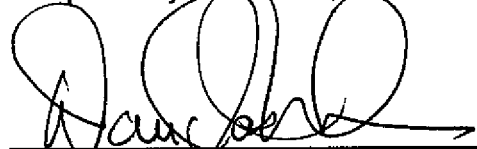
### **Concluding Remarks**

Accordingly, it is respectfully contended that all of the claims now pending are in condition for allowance. Issuance of the Notice of Allowance at an early date is thus in order.

If there are any remaining issues, Examiner Jung is encouraged to telephone the below-signed counsel for Applicant at (310) 785-5384 to seek to resolve them.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 10-0440. Should such additional fees be associated with an extension of time, Applicant respectfully requests that this paper be considered a petition therefor.

Respectfully submitted,

  
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